

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

LeRoy K. Wheeler, )  
                        )  
Plaintiff,           )     **ORDER DENYING MOTIONS**  
                        )  
vs.                    )  
                        )  
Robyn T. Schmalenberger, )  
Patrick Branson, and Leann K. )  
Bertsch,              )     Case No. 1:11-cv-079  
                        )  
Defendants.          )

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Before the court are three motions filed by plaintiff. Plaintiff's motion to compel discovery (Doc. No. 45) is **DENIED**. Defendants' objections to the discovery requests at issue are well taken. In particular, most of the disputed discovery is an attempt by plaintiff to (1) prove that defendants are promoting black supremacy and discriminating against white prisoners, or (2) prove the allegations made by plaintiff in a letter to Burleigh County States's Attorney Richard Riha that federal inmate Stanton is (a) poisoning the NDSP kitchen coffee and (b) engaging in sexual relations with multiple female correctional staff. The discovery requests directed to these issues are not sufficiently relevant to plaintiff's claims of retaliation and were properly objected to for that reason alone. Further, the court will not burden defendants with discovery requests that are directed to allegations that clearly are fantastic and delusional.

Given the foregoing, plaintiff's related motions to amend the scheduling order (Doc. No. 44) and for a continuance (Doc. No. 88) are **DENIED AS MOOT**.

**IT IS SO ORDERED**

Dated this 12th day of March, 2014.

*/s/ Charles S. Miller, Jr.*

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Charles S. Miller, Jr., Magistrate Judge  
United States District Court